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**Attorney for Plaintiff, Brookmead Partners LP,
 a Nevada Limited Partnership**

**UNITED STATES DISTRICT COURT
 FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

BROOKMEAD PARTNERS LP, a
 Nevada Limited Partnership,

Plaintiff,

v.

Interinsurance Exchange of the Automobile
 Club, a California business entity, Saracia L.P.
 Shannahan, and William P. Shannahan, Higgs,
 Fletcher & Mack, LLP, a California business
 entity,

Defendants.

Case No. 08 CV-659-JLS (WMC)

**PLAINTIFF'S OPPOSITION TO
 SARACIA SHANNAHAN'S EX
 PARTE APPLICATION FOR
 ENLARGEMENT OF TIME TO
 RESPOND TO COMPLAINT,
 CROSS-COMPLAINT AND
 CROSS-CLAIM**

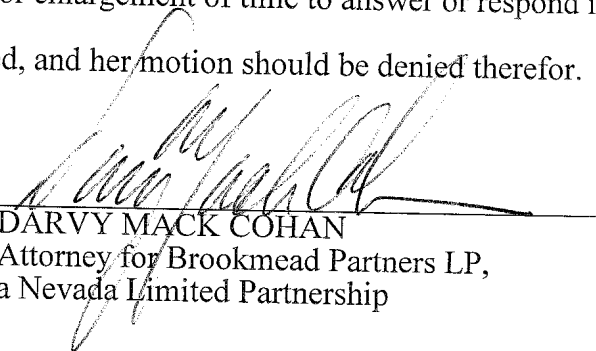
Hearing Date: TBD
 Hearing Time: TBD
 Department: Courtroom 6, 3rd Fl.
 Judge: Hon. Janis L. Sammartino

Plaintiff and cross-defendant, BROOKMEAD PARTNERS, LP, objects to defendant and cross-defendant SARACIA SHANNAHAN's request for enlargement of time to answer the complaint, cross-complaint and cross-claim. This objection is based upon the fact that said defendant and cross-defendant has had more than ample time within which to respond to the complaint on file herein and, has gone so far as to declare the fact that her response will be to bring a motion under Rule 12. In fact, her pending ex parte application for emergency relief is, in substance if not in form, a motion under Rule 12. Essential fairness would require that a Rule 12 motion not be decided under the context of an ex parte application for "emergency relief", but

1 within the context of proper notice and motion as required under the statute.

2 Accordingly, there is no prejudice to defendant SARACIA SHANNAHAN or any other
3 party to this action, by denial of her request for enlargement of time to answer or respond in that her
4 responsive pleading has already been prepared, and her motion should be denied therefor.

5 Dated: August 1, 2008

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7 DARVY MACK COHAN
8 Attorney for Brookmead Partners LP,
9 a Nevada Limited Partnership
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PROOF OF SERVICE

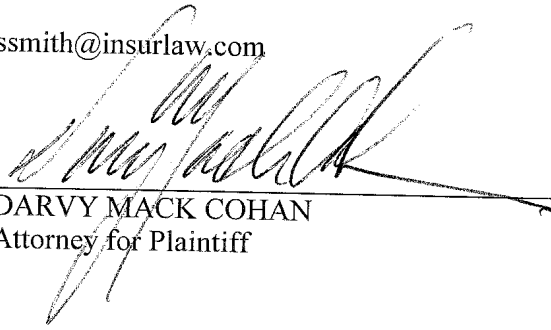
IT IS HEREBY CERTIFIED that service of the foregoing document entitled:
PLAINTIFF'S SUPPLEMENTAL OPPOSITION TO DEFENDANT SARACIA SHANNAHAN'S
EX PARTE APPLICATION FOR EMERGENCY RELIEF
has been made this 1st day of August, 2008, via the court's CM/ECF system to:

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DARVY MACK COHAN
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